

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7712**

**BILL NUMBER:** HB 1719

**NOTE PREPARED:** Jan 15, 2007

**BILL AMENDED:**

**SUBJECT:** Dog Control Measures.

**FIRST AUTHOR:** Rep. Bardon

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires that dogs be implanted with a microchip that contains a registered identification number and can be read with a standard scanner. It requires that the registration information be updated when necessary.

The bill requires the owners of certain dogs that are not neutered or spayed to pay an annual fee to the county dog fund. The bill provides for the annual fee to be collected using the same method the county elects to collect the dog tax. It requires each county to establish a county dog fund.

The bill also requires the owner of a dog that is not spayed or neutered to post a warning sign on the premises where the dog is kept. It also establishes penalties for noncompliance. The bill allows a county, city, or town to adopt a dog control ordinance that is more restrictive than state law.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** The Department of Local Government Finance (DLGF) must prescribe a county option dog tax return form that a county may use for the collection from dog owners of the county option dog tax fee. The DLGF should be able to prescribe the form given its existing level of resources.

An owner's dog must be implanted with a microchip that contains certain information. The Board of Animal Health (SBAH) may adopt rules establishing standards for the microchips. If the SBAH elects to adopt rules, the SBAH should be able to cover any additional administrative costs given its existing level of resources and budget.

**Explanation of State Revenues:** *Penalty Provision:* The owner of a dog that is not spayed or neutered must post a clearly visible sign conspicuously on the premises where the dog is kept that states "BEWARE OF DOG"; and contains a warning symbol for children. A person who violates this provision commits a Class C infraction. A person who violates provisions pertaining to implanting a microchip in a dog or a person who does not pay a \$50 fee for each dog that is not spayed or neutered commits a Class C infraction. The maximum judgment for a Class C infraction is \$500, which would be deposited in the state General Fund. However, any additional revenue is likely to be small.

**Explanation of Local Expenditures:** The county auditor must establish a county dog fund. The fiscal body of a county may use the money in the county dog fund for medical expenses of dog bite victims; microchips for dogs; spaying and neutering of dogs; purchasing microchip scanners; or community educational programs concerning responsible dog ownership, including spaying, neutering, microchips, and safety issues.

The county dog fund must be administered by the county treasurer. Expenses of administering the fund must be paid from money in the fund. Money in the fund at the end of a fiscal year does not revert to the county general fund.

The "fund cap" is the greater of the 3-year average annual amount deposited into the county dog fund or \$25,000. Beginning December 31, 2010, if at the end of a fiscal year the amount in the county dog fund exceeds the fund cap, the county treasurer must deposit the money that is in excess of the fund cap into the county general fund. The amount of revenue that will be deposited in the county general fund is indeterminable.

A county, city, or town may adopt an ordinance imposing dog control measures more restrictive than the provisions in the bill. This provision should have no significant fiscal impact on local units.

**Explanation of Local Revenues:** The bill provides that an owner must annually pay a fee of \$50 for each of the owner's dogs that is not spayed or neutered. The entity that collects the fee may retain not more than \$0.75. The balance of the money is sent to the county treasurer. The county treasurer must deposit all fee money collected into the county dog fund. Money in the fund not currently needed to meet the obligations of the fund may be invested in the same manner as other public funds may be invested. Interest that accrues from these investments must be deposited in the fund. The amount of revenue that will be collected is indeterminable.

*Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

**State Agencies Affected:** SBAH; DLGF.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Bernadette Bartlett, 317-232-9586.